

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HENRY S. PRIEN,
Plaintiff,
v.
GARY LUCAS, *et al.*,
Defendants.

Case No. C07-5647 RJB/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR DISCOVERY

Before the Court is Plaintiff's Motion for Discovery (Dkt. # 39), in which Plaintiff demands discovery of various materials and documents from Defendants. Having carefully reviewed Plaintiff's motion and Defendant Wexford's Response (Dkt. # 49), Plaintiff is advised that his motion shall be denied as premature. Plaintiff is directed to Rules 26 through 37 of the Federal Rules of Civil Procedure, which govern the scope and limits of discovery. The discovery rules provide each party with time limits for responding to discovery requests and require that before a motion seeking an order compelling discovery may be filed with the Court, the parties must confer in good faith in an attempt to resolve their differences. Fed. R. Civ. P. 37(a)(2)(B)

Plaintiff must first serve the opposing parties with his discovery requests and allow thirty days for the parties to fail to respond to his discovery requests. Should the party not timely comply with the request, the Plaintiff must, prior to filing a motion to compel, meet and confer with Defendants or

1 counsel for Defendants in an attempt to resolve any discovery issues as required by Fed. R. Civ. P.
2 37(a)(2)(B). Then, when Plaintiff files his motion to compel, he must include a certification with the
3 motion that he has met and conferred in an attempt to resolve all discovery disputes.

4 Accordingly, it is **ORDERED**:

- 5 (1) Plaintiff's motion for discovery (Dkt. # 39) is **DENIED**; and
6 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to counsel for
7 Defendants.

8
9 DATED this 2nd day of May, 2008.

10
11
12 
13 Karen L. Strombom
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28